

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

FILED: JULY 31, 2008

JAMES GRANT,

Plaintiff,

-VS-

CITY OF CHICAGO,
RUDOLPH BOOTH #18268 and
T.J. HERRICK #3073,

Defendants.

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08CV4366

JUDGE ST. EVE

MAGISTRATE JUDGE SCHENKIER

No. _____ --

TC

(jury demand)

AMENDED COMPLAINT

Plaintiff, by counsel, alleges as follows:

1. This is a civil action arising under 42 U.S.C. §1983. The jurisdiction of this court is conferred by 28 U.S.C. §1343 and 28 U.S.C. §1367.
2. Plaintiff James Grant is a wheelchair bound resident of the Northern District of Illinois.
3. Defendant City of Chicago is an Illinois municipal corporation; plaintiff does not assert any federal claim against the City.
4. Defendants Rudolph Booth #18268 and T.J. Herrick #3073 were at all times relevant acting under color of their authority as Chicago police officers; each is sued in his individual capacity.
5. On March 6, 2007, defendants Booth and Herrick falsely arrested plaintiff and unlawfully searched plaintiff's residence.
6. After making the above referred arrest, defendants Booth and Herrick prepared police reports asserting that plaintiff, who is wheelchair bound,

had been standing and walking at the time of the arrest.

7. As the result of the false police reports, plaintiff was held in custody from the date of his arrest until all charges were dismissed on October 18, 2007.
8. As the direct and proximate result of the above described acts, plaintiff was deprived of rights secured by the Fourth and Fourteenth Amendment to the Constitution of the United States.
9. Plaintiff hereby demands trial by jury.

Wherefore plaintiff requests that judgment be entered in his favor and against defendants in an amount in excess of one hundred thousand dollars as compensatory damages.

/s/ Kenneth N. Flaxman

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